

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2218 - SB 2149

February 13, 2020

SUMMARY OF BILL: Creates a Class D felony offense for the knowing and unlawful possession of a telecommunications device in a penal institution.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$24,935,800 Incarceration*

Assumptions:

- Penal institutions include all state correctional facilities and local jails.
- Based on information provided by DOC, 926 state prison disciplinarys were issued for possession of a cell phone in calendar year 2018.
- This analysis estimates there will be approximately 350 convictions each year resulting from state institutions and 50 convictions each year resulting from local jails.
- The average time served for a Class D felony is 2.26 years.
- Population growth and recidivism will not impact these admissions.
- According to the DOC, the average operating cost per offender per day for calendar year 2020 is \$75.52.
- Pursuant to Tenn. Code Ann. § 9-4-210, 400 (350 + 50) offenders will be admitted every year serving 825.47 days (2.26 x 365.25). The annualized increase in state incarceration expenditures is estimated to be \$24,935,798 (\$75.52 x 825.47 x 400).

**Tennessee Code Annotated § 9-4-210 requires an appropriation from recurring revenues for the estimated operation cost of any law enacted after July 1, 1986 that results in a net increase in periods of imprisonment in state facilities. The amount appropriated shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj